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10	DOUGLAS G. BERGERON, and BARK I ZWA	KENSTEIN
11		
12	UNITED STATES DISTRICT COURT	
13	NORTHERN DISTRICT OF CALIFORNIA	
14		
15	JOEL EICHENHOLTZ, Individually and On Behalf of All Others Similarly Situated,) Case No. C 07-6140 MHP
16	Plaintiff,	DECLARATION OF BRENDAN P. CULLEN IN SUPPORT OF
17	V.	DEFENDANTS VERIFONE HOLDINGS, INC., DOUGLAS G. BERGERON AND
18	VERIFONE HOLDINGS, INC., DOUGLAS) BARRY ZWARENSTEIN'S) ADMINISTRATIVE MOTION TO
19) CONSIDER WHETHER CASES) SHOULD BE RELATED PURSUANT TO
20	Defendants.) CIVIL LOCAL RULE 3-12
21	Berendants.))) Judge: The Hon. Marilyn H. Patel
22		Courtroom: 15
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28		DECLADATION OF PRENDAN D. CHILLEN IN SURD
	1	THE ADATION OF BUILDING AND CHILD IN STIDD

SULLIVAN & CROMWELL LLP I, BRENDAN P. CULLEN, declare as follows:

- 1. I am an attorney duly licensed by the State of California and am admitted to practice before this court. I am a partner at Sullivan & Cromwell LLP, and am responsible for the representation of Defendants VeriFone Holdings, Inc., Douglas G. Bergeron, and Barry Zwarenstein in the above-referenced matters.
- 2. I provide this declaration in support of the Defendants' Administrative Motion to Consider Whether Cases Should be Related Pursuant to Civil Local Rule 3-12.
- 3. Attached hereto as Exhibit A is a true and correct copy of a complaint captioned *Eichenholtz* v. *VeriFone Holdings, Inc., et al.*, Case No. C 07-6140 MHP filed on December 4, 2007 in the Northern District of California and assigned to the Honorable Marilyn H. Patel.
- 4. Attached hereto as Exhibit B is a true and correct copy of a complaint captioned *Lien* v. *VeriFone Holdings, Inc., et al.*, Case No. C 07-6195 JSW filed on December 6, 2007 and assigned to the Honorable Jeffrey S. White.
- 5. Attached hereto as Exhibit C is a true and correct copy of a complaint captioned *Vaughn, et al.* v. *VeriFone Holdings, Inc., et al.*, Case No. C 07-6197 VRW filed on December 6, 2007 and assigned to the Honorable Vaughn R. Walker.
- 6. Attached hereto as Exhibit D is a true and correct copy of a complaint captioned *Feldman, et al.* v. *VeriFone Holdings, Inc., et al.*, Case No. C 07-6218 MMC filed on December 7, 2007 and assigned to the Honorable Maxine M. Chesney.
- 7. Attached hereto as Exhibit E is a true and correct copy of a complaint captioned *Cerini* v. *VeriFone Holdings, Inc.*, *et al.*, Case No. C 07-6228 SC filed on December 10, 2007 in the Northern District of California and assigned to the Honorable Samuel Conti.
- 8. Attached hereto as Exhibit F is a true and correct copy of a complaint captioned Westend Capital Management LLC v. VeriFone Holdings, Inc., et al., Case No. C 07-6237 MMC filed on December 10, 2007 and assigned to the Honorable Maxine M. Chesney.
- 9. Attached hereto as Exhibit G is a true and correct copy of a complaint captioned *Hill* v. *VeriFone Holdings, Inc., et al.*, Case No. C 07-6238 MHP filed on December 10, 2007 and assigned to the Honorable Marilyn H. Patel.

1	10. Attached hereto as Exhibit H is a true and correct copy of a complaint captioned	
2	Offutt v. VeriFone Holdings, Inc., et al., Case No. C 07-6241 JSW filed on December 11, 2007 and	
3	assigned to the Honorable Jeffrey S. White.	
4	11. Attached hereto as Exhibit I is a true and correct copy of a complaint captioned	
5	Feitel v. VeriFone Holdings, Inc., et al., Case No. C 08-0118 CW filed on January 7, 2008 and assigned	
6	to the Honorable Claudia Wilken.	
7	12. All parties to the actions that this motion seeks to have related have stipulated	
8	pursuant to Civil Local Rule 7-11(a) to a Stipulation and [Proposed] Order Consolidating Related Cases	
9	(Docket No. 9), which is currently pending before this Court and which necessarily indicates those	
10	parties' agreement that these cases should be related. Given the difficulty of obtaining a second set of	
11	stipulations from the large number of plaintiffs in a timely fashion and in order to avoid duplication or	
12	confusion, no additional stipulations as to this motion were obtained.	
13	I declare under penalty of perjury that the foregoing is true and correct. Executed this	
14	January 25, 2008 in Palo Alto, California.	
15	/s/	
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23	Attorneys for VeriFone Holdings, Inc., Douglas G. Bergeron, and Barry	
24	Zwarenstein	
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